

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

In Re: Joseph Morel and Pamela Morel Case No. 09-11246
Chapter 13

CONSENT ORDER

This matter is before this Court, upon the motion U.S. Bank National Association, as Trustee for TBW MORTGAGE-BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-2 (“Lender”) for Relief from the Automatic Stay, with respect to property located at 275 Frenchtown Road, East Greenwich, RI 02818 (the “Property”), and pursuant to agreement of Lender and Joseph Morel and Pamela Morel (“Debtors”), it is hereby ordered as follows:

- 1) Debtor has been pre-qualified for a loan modification under the Home Affordability Modification Program (“HAMP”).
- 2) Pursuant to HAMP procedures, Debtor will be on a trial modification for a period of three months and make payments of \$1,089.37 on or before June 1, 2010 through August 1, 2010.
- 3) Debtors have made the June 2010 trial HAMP payment.
- 4) Beginning with the modified trial payment due July 1, 2010 and continuing through the payment due August 1, 2010, Debtors shall make payments of \$1,089.37 directly to Lender in a timely fashion.
- 5) If Lender does not receive the payments as set forth in Paragraphs 4 then Lender shall be entitled to file an Affidavit of Noncompliance with this Court. **UPON THE FILING OF THE AFFIDAVIT OF NONCOMPLIANCE, AND AFTER NOTICE AND AN OPPORTUNITY FOR HEARING, LENDER’S MOTION FOR RELIEF FROM THE AUTOMATIC STAY SHALL BE GRANTED PURSUANT TO 11 U.S.C. §362(d) FOR CAUSE FOR FAILURE TO MAKE POST-PETITION PAYMENTS.**
- 6) Lender is entitled to recover its attorney’s fees of \$650.00 and costs of \$300.00 from Debtors, which will be added to the total amount due on the loan.
- 7) The Court will hold a status hearing on or about August 12, 2010.
- 8) This Consent Order shall have the effect of an order of the Bankruptcy Court upon approval by the Bankruptcy Court.

Lender,
by its Attorney

Debtors,
by their attorney

/s/ Joseph M. Dolben
Nicholas Barrett & Associates
Joseph M. Dolben, Esq. (7916)
999 South Broadway
East Providence, RI 02914
(401) 654-6162/fax (401) 654-6163

/s/ John Ennis
John Ennis, Esq.
1200 Reservoir Avenue
Cranston, RI 02920
401-946-9230

Dated: 6/08/2010

Dated: 6/08/2010

Enter:



6/8/2010

Arthur N. Votolato
United States Bankruptcy Court Judge

Order:

Deputy Clerk

Dated:

Entered on docket:

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CERTIFICATION OF SERVICE

I hereby certify that on June 8, 2010, I electronically filed a proposed Consent Order with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically:

John B. Ennis, Esq.	jbelaw@aol.com
John Boyajian, Esq.	john@bhrlaw.com
Gary L. Donahue, Esq.	ustpreion01.pr.ecf@usdoj.gov

And I hereby certify that I have mailed by United States Postal Service, the document electronically filed with the court to the following non CM/ECF participants:

Joseph Morel and Pamela Morel
275 Frenchtown Road
East Greenwich, RI 02818

Ocwen Loan Servicing, LLC
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

/s/ Joseph M Dolben